

TOWN OF DAVIE
TOWN COUNCIL AGENDA REPORT

TO: Mayor and Councilmembers

FROM/PHONE: Barbara McDaniel, MMC, Assistant Town Clerk/954-797-1023

PREPARED BY: Barbara McDaniel, MMC, Assistant Town Clerk/954-797-1023

SUBJECT: August 11, 2008 minutes

AFFECTED DISTRICT: n/a

ITEM REQUEST: **Schedule for Council Meeting**

TITLE OF AGENDA ITEM: August 11, 2008 (Workshop Meeting)

REPORT IN BRIEF: Council minutes from the August 11, 2008 Council meeting.

PREVIOUS ACTIONS: n/a

CONCURRENCES: n/a

FISCAL IMPACT: not applicable

Has request been budgeted? n/a

RECOMMENDATION(S): Motion to approve

Attachment(s): August 11, 2008 minutes

**TOWN OF DAVIE
WORKSHOP MEETING
AUGUST 11, 2008**

The meeting was called to order at 6:05 p.m. and was followed by the Pledge of Allegiance.

Present at the meeting were Mayor Truex, Vice-Mayor Luis, Councilmembers Caletka and Crowley. Councilmember Starkey was absent. Also present were Town Administrator Shimun, Town Attorney Rayson, and Assistant Town Clerk McDaniel recording the meeting.

Councilmember Crowley made a motion, seconded by Mayor Truex, to excuse Councilmember Starkey. In a voice vote, with Councilmember Starkey being absent, all voted in favor. (Motion carried 4-0)

1. Update on the Proposed Fire Station Locations

Fire Chief Joe Montopoli announced that his presentation would educate Council and provide options for finishing the rescue bond. He described things already completed and accomplished, such as the construction of new stations and refurbishment of others, acquisition of new equipment and increased responsiveness to security issues. Chief Montopoli displayed a chart depicting issues remaining to be addressed and their costs. He pointed out areas of Town that the Fire Department could not respond to in a timely fashion and where stations were still needed.

Chief Montopoli showed an incident distribution map depicting busy and slow areas of Town and remarked that the eastern section was the busiest for alarms. The statistics represented both fire and rescue calls and he noted that even though 75% to 80% of their calls were rescue calls, all of their vehicles were fire/rescue and provided the same level of service and life support.

Chief Montopoli explained that staff had analyzed optimum response areas for Station 86 from a few different locations based on current road conditions. They had analyzed the Shenandoah and The Commons sites and determined that The Commons site was preferable because it would be “free” and would offer improved response time. Chief Montopoli said staff had also identified a property on 136th Avenue and 15th Street that would provide a good location regarding response time, but the land must be purchased.

Chief Montopoli stated that staff had also investigated several options for Station 68. The first was to stay at the current location, which Chief Montopoli said was much too small, had inadequate parking and septic system. The second option was to build a new multiple-story building at the existing site, with additional land from the adjacent property. This would provide a satisfactory facility, but presented issues with the existing roadway and the cost of the land. Chief Montopoli stated that the Orange Drive/Flamingo Road site would be a good option, if the land was available.

Chief Montopoli explained option three for Station 68 was the 26th Street lot. This location was favorable because the land had been donated to the Town by FDOT, it

had an existing perimeter road and a cut through across Flamingo Road and it exited onto 26th Street instead of Flamingo Road. This land was currently zoned as open space. Chief Montopoli reported that staff had investigated other properties in the area, but these involved additional costs.

Regarding parcel 9, Program Manager Phil Holste stated that the owner had been willing to subdivide and sell seven or eight acres to the Town at a cost of \$200,000 to \$290,000; however, a smaller parcel had not been discussed. Regarding parcel 8, the owner of the Weekley parcel proposed subdividing seven and a half acres to the Town for \$325,000 per acre.

Chief Montopoli remarked on the effect the lack of east/west thoroughfares had on response times in Town. He explained that staff had developed “pre-population” ideal service locations indicating fewer than six stations would be needed. Chief Montopoli stated if the number of stations could be reduced to five, \$5 million per year in maintenance costs would be saved, which would offset the costs to purchase additional land.

Mayor Truex asked Mr. Shimun his scenario preference. Mr. Shimun answered that since two stations needed to be built out west, these should be located “under the ideal situation that we’ve been talking about.” He added that the eastern stations could be discussed later.

Chief Montopoli felt reducing to five stations would save operating costs and manpower, while providing adequate service. Mr. Shimun reminded Council that service could be enhanced by the addition of just a few road connections that had been removed from the master road plan. This would also have significant impact on future costs. Mayor Truex remarked, “If you’re talking about 26th, that’s like reopening the Civil War again” so they had better work with the road system they had. Mr. Shimun suggested an enhanced trail that would be available only to the Fire Department.

Councilmember Caletka asked about the possibility of the Broward Sheriff’s Office (BSO) servicing Ivanhoe. Chief Montopoli explained that they were discussing a “closest unit response” with BSO to provide the best response.

Mayor Truex asked if the Town’s Fire Department were making many calls to Broadview Park. Chief Montopoli responded that Broward County was housed within the Town’s facility and responded to most of the calls.

Mayor Truex referred to the Town’s proposed future development in the Traffic Oriented Corridor and the Regional Activity Center, and said they must consider how this would affect the need for stations. Mayor Truex said one of his priorities was to provide service to Shenandoah, since this had been promised with the bond. His second priority was for Station 68.

Councilmember Caletka asked how the fire call system worked. Chief Montopoli explained that all calls came into the BSO center, and were routed by municipality. Per the interlocal agreement, the unit located closest to the scene would be dispatched, whether it was a Davie truck or a BSO truck.

Councilmember Caletka had heard from the Fire Academy on Nova that they would love to have a fire station located there for training purposes. Chief Montopoli said this was a possible site if they moved Station 38, but the best location was on Pine Island.

Councilmember Caletka liked the Ideal Coverage model, but thought the current location should be considered for Station B for the improved response times. If they knew that the County would cover United Ranches, he would be more comfortable with the alternative site.

Councilmember Crowley thought the 441 site should remain and indicated that it might not appear to be the best location now, but considering their future development plans, it could become “the” location. Councilmember Crowley agreed that Station 38 could be relocated to another area. He pointed out that residents out west had been looking forward to the new station, and staff should focus on Stations 68 and 86.

Councilmember Crowley favored the 39th Street site near Flamingo Gardens. He believed if they vacated the street, the Town could pick up property beyond the access road and locate the station farther west to have direct access to Flamingo Road. Councilmember Crowley asked if property number three was for sale. Mr. Holste explained that staff was still in the process of determining if the property was for sale. Councilmember Crowley believed the site they were considering could work, with the right architect creating the design and agreed that the Town must service United Ranches. For Station 86, Councilmember Crowley said he was open to 136th Avenue, just south of 14th Street, or Shenandoah. He did not feel the Ivanhoe station should be moved.

Vice-Mayor Luis thought the site at 136th Avenue and 15th Street was ideal. Chief Montopoli noted that this site would solve the problems expressed by the Shenandoah residents. Vice-Mayor Luis pointed out that there was significant response area outside the Town boundary.

Chief Montopoli felt there was consensus from Council to concentrate on locating the station out west. He requested clear direction on the site selection. He favored the 15th Street parcel over the park. Mayor Truex suggested looking into land acquisition at 136th Avenue and 15th Street to see if this was feasible. Councilmember Caletka agreed. He stated he was more comfortable with five instead of six fire stations as he believed having six stations was redundant. Mayor Truex reminded Council that some of the roadway openings required to allow fewer stations would never happen and they must acknowledge this. Mr. Shimun said that the Town could still have five stations with existing roadway conditions if the existing ones were moved. Chief Montopoli said this would be possible if the eastern stations were moved west; however, this would “take a long term commitment and long term dollars.” Mayor Truex felt they could concurrently work on this plan, but they could not afford to wait to see what happened with those property acquisitions and he did not want to lose the options they had.

Mr. Shimun suggested that since Stations 68 and 86 must be rebuilt, they should be built in the ideal positions and they could worry about the rest later.

Vice-Mayor Luis asked about the interlocal agreement with Sunrise and BSO. Chief Montopoli responded that staff was currently discussing this with the County. He felt that future economic conditions in the County made it more likely that Chiefs would be willing to work together.

Councilmember Crowley wanted to stop considering the 26th Street site and wanted to concentrate on the Flamingo Gardens site.

2. Accident Cost Recovery Services

Regina Moore, representing Cost Recovery Corporation, invited Council's questions. Councilmember Crowley asked if cities' exempting their own residents was common. Ms. Moore said this happened, but she did not necessarily recommend it. She stated that their program and protocol recommended following the procedure the federal government put in place for EMS. This entailed sending a claim to the "at fault" user's insurance company. If the at fault party was a Davie resident, and the insurance company denied the claim, the cost was written off. This avoided any claim of discrimination. Ms. Moore explained that Davie residents would receive no invoice from Cost Recovery Corporation, as the claim would only be sent to the insurance company. Ms. Moore stated that the process for non-residents would include notice to the at-fault user that the claim was being made to the insurance company, and that this was ultimately the user's financial responsibility per the Town's ordinance.

Vice-Mayor Luis asked about disputes. Ms. Moore said if there was a question regarding fault, the company would await the outcome from the insurance company and/or the courts.

Councilmember Crowley wanted to exempt the Town residents who were paying the fire assessment fee. Regarding charging renters who did not personally pay the fire assessment fee, he felt they must "look at that a little closer." Regarding renters, Ms. Moore said the Town could choose to charge them or not. Her opinion was that even though the renters did not pay the fire assessment fee directly, the renters made lease payments to landlords and they frequented Town businesses. She believed "from a political standpoint" Council was in a better position not charging the renters.

Mayor Truex asked what assumptions had been made to arrive at the \$690,000 figure that was proposed to be added to the Town's budget from the cost recovery fee. Chief Montopoli advised that the figure was based on all highways and State roads, all accidents and not exempting Davie residents.

Ms. Moore noted that recovery was based on many factors. She said Davie had a great number of accidents caused by non-residents, so they were in a "pretty good position."

Ms. Moore explained that the fee schedule for the Fire Department was based on Project Hope, the study used by the federal government when they began regulating EMS in the 1970s. They had updated the costs based on current market value and additional apparatus.

For the Police Department's cost recovery, Ms. Moore explained that they had conducted in-depth cost analyses and indicated that "our numbers are conservative, they're defensible; they're real cost of business."

Mayor Truex said he had "come around on this" since it was first presented last year and now supported it, but felt they needed to fine tune the language. He wanted to add a provision that any Davie resident who was guilty of something serious such as DUI, driving without insurance or a valid license, "should get hammered."

Councilmember Caletka related a scenario in which he had been involved in an accident where no one was at fault but one driver had been issued a citation for leaving the scene. Ms. Moore confirmed that in this case, the driver who was not at fault but had left the scene would be charged for the accident. Councilmember Caletka said it was later learned that this driver did not have insurance, so she would have been billed

directly. Ms. Moore stated that they never litigated to obtain payment, but if the recovery fee was unpaid, this information could be provided to credit reporting agencies.

Councilmember Caletka asked about challenges to the fee. Ms. Moore said there had been no challenge from insurance companies that supported and participated.

Councilmember Crowley wanted staff to recalculate the recovery amount when Davie residents were exempted.

Councilmember Crowley and Vice-Mayor Luis agreed with Mayor Truex's proposal to charge Davie residents who were guilty of serious offenses. Mayor Truex asked Mr. Rayson to look into this.

Chief Montopoli clarified the parameters:

- at-fault Davie residents' insurance companies would be charged, but the residents would not be responsible if the insurance company did not pay
- at-fault non-residents' insurance companies would be charged and the individual would be pursued for payment if the insurance company did not pay
- only major roadways were covered

Ms. Moore stated that a cost recovery claim would not affect a driver's insurance rate, but being found at-fault for an accident could.

There being no further business to discuss and no objections, the meeting was adjourned at 7:37 p.m.

Approved_____

Mayor/Councilmember

Town Clerk